

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

JUL 03 2007

UNITED STATES OF AMERICA

4:99CR40147-001


CLERK

Plaintiff,

GARNISHEE ORDER

v.

GAVIN'S POINT TRANSPORTATION

Defendant,

and

WELLS FARGO BANK,
SIOUX FALLS, SD,
and its successors or assigns,

Garnishee.

A Writ of Garnishment, directed to Garnishee, has been duly issued and served upon the Garnishee. Pursuant to the Writ of Garnishment, the Garnishee filed an Answer on May 25, 2007, stating that at the time of the service of the Writ they had, in their possession or under their control, personal property belonging to and due defendant, and that Garnishee was indebted to defendant in the total sum of \$2,051.76 from a checking accounts.

On April 26, 2007, the defendant was notified of the right to a hearing and has not requested a hearing to determine exempt property.

Pursuant to 28 U.S.C. §3205(c)(7) and 15 U.S.C. §1673(a)(1),

IT IS ORDERED that Garnishee, and its successors or assigns, pay to the plaintiff, \$2,051.76 which it withheld pursuant to the Writ, as well as all additional funds deposited in the checking account since the Writ of Garnishment was served. Payment should be made payable to the U.S. Clerk of Court and mailed to them at 400 South Phillips, Room

128, Sioux Falls, South Dakota 57104-6851.

IT IS FURTHER ORDERED that pursuant to 28 U.S.C. §3205(c)(10)(B), this garnishment shall be terminated upon receipt by the Clerk of the amount of \$2,051.76 from the garnishee, which will exhaust property of the defendant that is in possession of the garnishee.

DATED: July 2, 2007

BY THE COURT:

Lawrence L. Piersol
LAWRENCE L. PIERSOL
UNITED STATES DISTRICT JUDGE

ATTEST:

JOSEPH HAAS, Clerk

By: Sherry Margules
DEPUTY CLERK

(SEAL OF THE COURT)